

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D20484
O/kmg

_____AD3d_____

Submitted - July 25, 2008

REINALDO E. RIVERA, J.P.
MARK C. DILLON
WILLIAM E. McCARTHY
ARIEL E. BELEN, JJ.

2007-02964

DECISION & ORDER

The People, etc., respondent,
v Timothy Muench, appellant.

(Ind. No. 324-07)

Robert C. Mitchell, Riverhead, N.Y. (Alfred J. Cicale of counsel), for appellant.

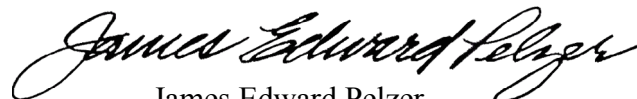
Thomas J. Spota, District Attorney, Riverhead, N.Y. (Edward A. Bannan of counsel),
for respondent.

Appeal by the defendant, as limited by his motion, from a sentence of the County
Court, Suffolk County (Toomey, J.), imposed February 22, 2007, on the ground that the sentence
was excessive.

ORDERED that the sentence is affirmed. No opinion.

RIVERA, J.P., DILLON, McCARTHY and BELEN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 30, 2008

PEOPLE v MUENCH, TIMOTHY